

## **Water Resources Common Terms and Definitions**

The world of water resources (water quantity) has its own language. This list was prepared to help you understand terms that may be unfamiliar.

**Adjudication:** A legal process conducted through a superior court to determine the extent and validity of existing water rights within a basin or basins.

**Appropriation:** The process of legally acquiring the right to specific amounts of the public water resource for beneficial uses.

**Aquifer:** An underground layer of sand and gravel that acts as a reservoir for groundwater.

**Basin:** All the land that drains to the same body of water, such as a lake or river. Often used interchangeably with the term “watershed.”

**Beneficial use:** The regular application of a reasonable quantity of water to a non-wasteful use, such as irrigation, domestic water supply, or stockwatering.

**Case law:** Created when the Courts interpret statutory law. Case law is binding on Ecology.

**Certificate:** A Certificate of Water Right is the legal record of your water right, issued by Ecology when all the conditions of your permit have been met. It is considered appurtenant (attached) to the land on which the water is used.

**Claim:** A water right claim is a statement filed to assert a use of water, for a water use that predates the state’s water permitting system (for surface water, 1917/1932, for groundwater, 1945). The validity of a claim can only be confirmed through judicial processes.

**Consumptive use:** A water use which reduces the amount of water in the water source.

**Groundwater:** Water located under the ground.

**Groundwater permit exemption:** In the state Ground Water Code, the groundwater permit exemption (RCW 90.44.050) allows for use of small amounts of groundwater for specific uses without going through the regular permitting process (“permit-exempt”). While exempt from the permitting process, these withdrawals are still subject to all other state water laws.

**Hydraulic continuity:** The natural interconnection of ground water and surface water.

**Junior water right:** Water rights that have a more recent priority date (see) than senior (older) rights. All water rights are defined in relation to other users, and a water rights holder only acquires the right to use a specific quantity of water under specified conditions. In times of shortage, it’s the older, or senior, water right holders that have their water needs satisfied first. (See Prior appropriation doctrine.)

**Instream Flow:** The term "instream flow" is used to identify a specific stream flow (typically measured in cubic feet per second, or cfs) at a specific location for a defined time, and typically following seasonal variations. Instream flows are usually defined as the stream flows needed to protect and preserve instream resources and values, such as fish, wildlife and recreation. Instream flows are most often described and established in a formal legal document, typically an adopted state rule.

**Instream resources and values:** As defined in state law, includes fish and wildlife, aesthetics, water quality, navigation, livestock watering and recreation.

**Mitigation:** In the context of water use, a tool to offset potential effects of new water uses.

**Nonconsumptive use:** A water use that does not reduce the amount of water in the water source. For example, water used in hydroelectric projects when the water is not diverted away from the natural confines of the river or stream channel.

**Over-appropriated:** More water has been legally distributed (as water rights) than actually exists in the river or stream.

**Permit:** A water right permit is permission by the state to *develop* a water right; it is not a final water right. A permit allows you to proceed with construction of a water system and start putting the water to beneficial use, in accordance with the terms of your permit.

**Prior appropriation doctrine:** The surface water law system developed in the western United States. Those who first apply for and receive water rights have priority in water use in times of water shortage over those applying later. Often referred to as "first in time, first in right." the appropriation doctrine was adopted in 1917 as the exclusive way to create a water right in Washington State. (See Riparian doctrine; junior and senior water rights; priority date.)

**Priority date:** The effective date of a water right. The priority date determines one's access to water: in times of water shortage, older (more senior) water right holders have their water needs satisfied first.

**RCW:** Revised Code of Washington. The compilation of all permanent Washington State laws (also referred to as statutes) now in effect.

**Relinquishment:** The return of unused water to the State. Under state law, a water right may be wholly or partially lost through extended periods of voluntary non-use.

**Reservation of water:** Finite amounts of water set aside in rule for specific new uses; also called "reserves." These uses may continue even when stream flows fall below established instream flow levels. Reserves usually have conditions of use that must be met to access them.

**Riparian doctrine:** One of two legal systems under which early settlers (pre-1917) in Washington obtained water rights. Allowed for the historic reasonable use of water on land adjacent to a surface water body (such as a stream or a lake); it was not concerned with priority of use among users. This was the prevailing surface water legal system in the eastern United States. The Riparian doctrine expired in Washington in 1932. (See also Prior appropriation doctrine.)

**Rule:** An administrative rule or regulation. Under state law, Ecology and other executive branch agencies may write rules to implement state law. Agency rules are designed to help the public comply with state laws, processes, and other requirements. Once adopted, these rules become part of the Washington Administrative Code (WAC).

**Senior water right:** Water rights that are older (more senior) than those of junior rights. All water rights are defined in relation to other users, and a water rights holder only acquires the right to use a specific quantity of water under specified conditions. Thus, when limited water is available, senior rights are satisfied first in the order of their priority date. (See Prior appropriation doctrine.)

**Stream flow:** The amount of water flowing in a stream or river.

**Surface water:** Water on the earth's surface, such as lakes, streams and rivers.

**Trust water right:** Any water right acquired by the State for management in the State's trust water rights program.

**WAC:** Washington Administrative Code. See "rule."

**Water banking:** A process to help the transfer of existing water rights to new uses.

**Water right:** A legal authorization to use a certain amount of public water for a designated beneficial use. The water must be used with reasonable efficiency. There are three main types of water rights: see certificate, permit and claim.

**Water right change or transfer:** The reallocation of a water right. Ecology may consider changes to specific elements of an existing water right, including the place of use and point of withdrawal. As it becomes increasingly difficult to obtain new water rights in Washington State, many individuals are choosing to make changes to existing water rights in order to meet new water needs.

**Watershed:** All the land that drains to the same body of water, such as a lake or river. Often used interchangeably with the term "basin."

**Watershed planning:** Under RCW 90.82, a framework for developing local solutions to water-related issues on a watershed basis.

**WRIA:** Water Resources Inventory Area. Also known as a watershed or river basin. For environmental administration and planning purposes, Washington is divided up into 62 major watersheds, or WRIsAs.